

REMARKS

The present amendment is submitted in response to the Office Action dated March 22, 2007, which set a three-month period for response, making this amendment due by June 22, 2007.

Claims 1-10 are pending in this application.

In the Office Action, claims 1-6 and 9-10 were rejected under 35 U.S.C. 102(b) as being anticipated by DE 2303532 to Stiltz. Claims 1-2 and 6-8 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,137,632 to Pfanzer.

First, the Applicant notes that the outstanding Office Action cites "GB 2303532" to Stilt in support of the rejection of claims 1-6 and 9-10 under Section 102(b). However, the Applicant assumes the Examiner meant to cite "DE 2303532", since this reference was cited in the Applicants' IDS filed March 8, 2006.

Looking now at the substantive rejection of the claims, the Applicant respectfully submits that the present invention as defined in claim 1 is not anticipated by Stiltz. The Applicant also wish to point out that the related European application was allowed over this reference with wording of claim 1 similar to the wording of claim 1 in the present application.

In the Stiltz reference, the pendulum stroke is not controlled as a function of the contact pressure of the saw blade on a work piece to be sawn, but instead depends on the characteristic values of the motor (motor load, torque, or

otherwise a suitable reference variable; see page 3, paragraph 1; page 4, paragraph 3). Control of the pendulum stroke as a function of the contact pressure of the saw blade is not suggested by Stiltz.

Likewise, the cited reference to Pfanzer does not anticipate the subject matter of claim 1. In the Office Action, the Examiner acknowledges that Pfanzer does not specifically disclose that the stroke oscillation adjustment is automatically adjusted based on a function of pressure of the saw blade against a work piece to be sawn. However, the Examiner maintains that from the disclosure and figures, it is apparent that the oscillation mechanism does function as an automatic response to a function of the pressure of the saw blade against a work piece.

The Applicant respectfully disagrees with the Examiner's conclusion. In column 5, lines 8-29, Pfanzer clearly describes how the oscillation mechanism works. A spring 29 urges a carrier 24 toward the right, such that the carrier engages the working surface 27 of a cam disc 17. The working surface of the cam 27 is contoured to have pre-determined elevations about its annular length. Since the spring urges the carrier toward the cam surface, a rotation of the cam disc causes the carrier to move to the right under the action of the spring. In this manner, the carrier 24 is caused to reciprocate in a direction transverse to the longitudinal dimension of the saw-blade holder. This transverse movement is superimposed on the up and down movement so that a saw-blade undergoes a pendular movement.

In other words, the oscillation stroke is not at all variable because it is provided by the elevations formed on the working surface of the cam disc. To vary the oscillation stroke, it would be necessary to exchange the cam disc with a cam disc having different elevations.

In the outstanding Office Action, the Examiner maintains that during operation of the jigsaw, the work piece will exert a backwards force on the blade in addition to the force exercised by the spring. The additional force will further bias the carrier backwards. It is true that the additional force will further bias the carrier against the cam disc. However, since the carrier is always biased against the cam disc, an additional force during operation will only urge the carrier even more towards the cam disc. The oscillation stroke, however, is only defined by the elevations on the working surface of the cam disc.

Because neither Stiltz nor Pfanzer discloses or suggests all of the features of independent claim 1, claim 1 is allowable over these references, as are its dependent claims 2-10. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. ***Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.***, 221 USPQ 481, 485 (Fed. Cir. 1984). A prior art reference anticipates a claim only if the reference discloses every limitation of the claim. Absence from the reference of any claimed element negates anticipation. ***Row v. Dror***, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997).

For the reasons set forth above, the Applicant respectfully submits that claims 1-10 are patentable over the cited art. Allowance of the application is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,
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